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## Board of Health Minutes 01/21/2016

### Town of Mashpee

*16 Great Neck Road North  
Mashpee, Massachusetts 02649*

#### BOARD OF HEALTH – PUBLIC SESSION

##### Minutes of the Meeting of January 21, 2016

**Board Members Present:**

Kalliope Egloff, Co-Chair  
Lucy Burton, Clerk

**Member Absent:**

Burton Kaplan, Chairman

**Also Present:**

Glen Harrington, Health Agent

Co-Chair Kalliope Egloff called the meeting to order at 7:01 PM.

**APPOINTMENTS****7:15 PM – Septic Tank Variance Request – 161 Commercial Street.**

Glen Harrington stated that discussions took place with Richard Capen and Joao Junqueira of Capewide Enterprises concerning an evaporator system, which was submitted for 161 Commercial Street. The Department of Environmental Protection considers the wastewater treatment system to be exempt. This is deemed to be a process tank not a holding tank. There is an exemption from 314 CMR 18.00, the Industrial Wastewater Holding Regulation. Therefore, this is not a variance.

Mr. Harrington remarked that where this is a process tank and no longer an industrial wastewater holding tank the set of regulations that does apply is 310 CMR 7.00, the Air Pollution Control Regulation. Mr. Harrington recommended that where the air quality regulations apply, there is a requirement that a professional engineer design the treatment system, authorize the plan and then submit it to the Department of Environmental Protection for approval.

Richard Capen of Capewide Enterprises, representing Jack Carter, owner of 161 Commercial Street, introduced himself to the Board.

Mr. Harrington expressed concern about motor oil and antifreeze spills. Mr. Capen commented that there is a recovery system for oil and antifreeze and felt that any oil and antifreeze spills would be miniscule.

Mr. Capen inquired about the use of an above-ground tight tank. Mr. Harrington stated that the industrial wastewater holding tank regulations allow above-ground and in-ground tanks. The engineer has approved the in-ground tank as part of the original plan and will need to authorize the above-ground system. Mr. Capen will contact the engineer to amend the plan to include the above-ground tight tank.

Lucy Burton made a motion that the Board of Health enable Glen Harrington to review and approve revised plans and application for an inside, above-ground, double-walled tight tank. Any further changes will be presented to the Board when the evaporator is submitted for approval. Kalliope Egloff seconded the motion. The motion was unanimously approved.

**7:20 PM – Cesspool Variance and Enforceable Agreement – 304 Shore Drive.**

Glen Harrington commented that the information to request the variance and enforceable agreement for 304 Shore Drive was not submitted.

**NEW BUSINESS**

- **Sign Expense Warrants.** The Board members signed the expense warrants.
- **Review/Approve BOH Public Session Minutes: January 7, 2016.**

Lucy Burton made a motion that the Board of Health approve the Public Session minutes of January 7, 2016, as amended. Kalliope Egloff seconded the motion. The motion was unanimously approved.

- **Variance Request to Food Establishment Permit Fee: Spice Merchants (12 Central Square).**

Glen Harrington commented that the owner of Spice Merchants, Lisa Walker, is either selling the business or closing the shop at the end of January. Ms. Walker paid double the annual renewal fee because the submittal was after the deadline of December 31, 2015. Ms. Walker is requesting a waiver to pro-rate the renewal fee because she will only have the business for the month of January.

Lucy Burton made a motion that the Board of Health pro-rate the 2016 Food Establishment permit for Spice Merchants. Based upon Glen Harrington's recommendation where the annual renewal fee was paid after December 31, 2015, it will be pro-rated at double the fee in the amount of \$16.66. Kalliope Egloff seconded the motion. The motion was unanimously approved.

- **Approval of Town Report.**

Glen Harrington remarked that a change was made to the Town Report. Veronica Warden, Assistant Health Agent, suggested inserting a paragraph on hoarding and the importance of funding.

Lucy Burton made a motion that the Board of Health approve the Mashpee Town Report. Kalliope Egloff seconded the motion. The motion was unanimously approved.

## **OLD BUSINESS**

- **Housing Compliance Update: 394 Cotuit Road.**

Glen Harrington commented that he met with Erika Woods of the Cape Cod Hoarding Task Force regarding 394 Cotuit Road. Since the original document has expired, Mr. Harrington requested that Ms. Woods prepare another signed agreement with some new goals and new dates for Vickie McFarland-Richter. Mr. Harrington suggested evaluating the progress at three and six months. Mr. Harrington invited Ms. Woods to attend the next Board of Health meeting with the signed agreement from Ms. McFarland-Richter.

Discussion on 394 Cotuit Road will be continued to the next Board of Health meeting scheduled on February 4, 2016.

- **Update on Failed Septic System: 87 Lighthouse Lane.**

Glen Harrington commented that Joey DeBarros was chosen to install the septic system at 87 Lighthouse Lane. Mr. DeBarros presented the two-page proposal with two different amounts. Mr. Harrington will contact Mr. DeBarros for the correct amount and then have the homeowners sign and accept the proposal.

- **Update on Failed Septic System: 46 Pond Circle.**

Glen Harrington commented that Kendall Ayers of the Barnstable County Septic Loan Program will not grant the owners of 46 Pond Circle the loan to repair their septic system. Mr. Harrington will issue a condemnation letter to the owners and review the outcome of the condemnation letter at the next Board of Health meeting scheduled on February 4, 2016.

- **Condemnation Update: 71 Lakeside Estates.**

Glen Harrington remarked that while Matthew Haney visited the Board of Health office on a different matter, Mr. Harrington inquired about 71 Lakeside Estates. Mr. Haney informed Mr. Harrington that the unit has been cleaned, the walls have been washed and cleaned, and the odor is almost gone. Mr. Harrington suggested that Mr. Haney have the floor sealed to eliminate further odor. Once everything has been repaired and corrected, the Health Agent will remove the condemnation upon inspection.

- **Housing Update: P-103 Deer Crossing, Shellback Way.**

Glen Harrington stated that the contractor has been working in P-103 Deer Crossing for about two weeks. The unit has been cleaned out, and the rugs have been removed. As there is no heat and no electricity in the unit, the contractor has been using a generator in order to work in Unit P-103. National Grid has installed the gas meter and will turn on the gas once electricity is supplied to the unit. Mr. Harrington contacted Eversource and was instructed to forward the check to the collection agency. Now the check needs to clear before Eversource will switch on the electrical power.

**ADDITIONAL TOPICS**

**None.**

**DISCUSSION**

- **Meeting Update – Mashpee Cares Committee Meeting: Glen Harrington.**

Glen Harrington commented that he was unable to attend the Mashpee Cares Committee Meeting on January 19, 2016.

**NEXT MEETING**

The next meeting of the Board of Health is scheduled for Thursday, February 4, 2016, at 7:00 PM. As there was no further business, Lucy Burton made a motion to adjourn the Public Session Meeting of the Board of Health at 7:51 PM. Kalliope Egloff seconded the motion. The motion was unanimously approved.

Respectfully submitted,

Frances Boulos  
Administrative Assistant  
Mashpee Board of Health

attachments